

Serial No. 10/799,679
Amdt. dated June 15, 2005
Reply to Office Action of March 21, 2005

Docket No. P-0667

REMARKS/ARGUMENTS

Claims 1-44 are pending in this application. By this Amendment, claims 1-2, 19, and 31 are amended, and claims 32-44 are added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

The Examiner is thanked for the indication that claims 4-7, 11-17 and 20-23 would be allowable if rewritten in independent form including all of the limitations that the base claim and any intervening claims. New claims 32-34 are claims 4, 6, and 20, respectively, written in independent form. Thus, new claims 32-34, as well as new claims 35-44, which depend respectively therefrom, should be in condition for allowance. However, for the reasons set forth below, claims 5, 7, 11-17 and 21-23 have not been rewritten in independent form at this time.

The Office Action rejects claims 1-3, 8-10, 18-19, and 24-31 under 35 U.S.C. §103(a) as unpatentable over Japanese Patent Publication No. JP 10327763 (hereinafter "JP '763). The rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, a locking unit provided between the drain pan and the dispenser housing, wherein the locking unit is configured to releasably attach the drain pan to the dispenser housing through an elastic deformation of the locking unit. JP '763 neither discloses nor suggests such features.

JP '763 discloses an ice cream dispenser, including an apron panel 51 which covers a door 3 of a freezing chamber 2, and a dispensing part 35 which extends outward from the apron panel 51 to dispense ice cream into a container U through a supply pipe 38. A receiving pan 60 extends outward from the apron panel 51 at a position beneath the dispensing part 35 to hold the container U, as well as to collect condensation therein. Receiving pan 60 is positioned perpendicular to the apron panel 51/door 3/freezing chamber 2, and is secured to the apron panel 51 by a screw 63. The receiving pan 60 is clearly attached to the apron panel 51 by the screws 63 threaded engagement with the apron panel 51, and not through any elastic deformation of the screw 63. Thus, JP '763 neither discloses nor suggests a lock in unit as recited in independent claim 1, or the claimed combination.

Accordingly, it is respectfully submitted that independent claim 1 is allowable over JP '763, and thus the rejection of independent claim 1 under 35 U.S.C. §103(a) over JP '763 should be withdrawn. Rejected dependent claims 2-3, 8-10, and 18, as well as objected to claims 4-7 and 11-17, are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

Independent claim 19 recites, *inter alia*, a locking unit configured to releaseably secure the drain pan and the housing, and to be engaged and disengaged through an elastic deformation of the locking unit. As set forth above, JP '763 neither discloses nor suggests such features. Accordingly, it is respectfully submitted that independent claim 19 is allowable over JP '763, and

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Docket No. P-0667

thus the rejection under 35 U.S.C. §103(a) over JP '763 should be withdrawn. Rejected dependent claims 24-30, as well as objected to claims 20-23, are allowable at least for the reasons set forth above with respect to independent claim 19, from which they depend, as well for their added features.

Independent claims 31 recites, *inter alia*, a locking unit provided between the drain pan and the dispenser housing and configured to lock the drain pan to the dispenser housing, comprising a locking groove formed at a rear surface of the dispenser housing, and a locking hook formed at a rear surface of the drain pan and configured to engage with the locking groove. As set forth above, JP '763 neither discloses nor suggests such features.

More specifically, the screw 63 which secures the receiving pan 60 to the apron panel 51 is simply threaded into the apron panel 51. JP '763 neither discloses nor suggests any type of locking hook formed at a rear surface of the receiving pan 60 (which the Examiner has compared to the drain pan recited in independent claim 31) which is configured to engage with a locking groove formed at a rear surface of the dispensing part 35 (which the Examiner has compared to the dispenser housing recited in independent claim 31). Thus, JP '763 neither discloses nor suggests a locking unit as recited in independent claim 31, or the claimed combination. Accordingly, it is respectfully submitted that independent claim 31 is allowable over JP '763, and thus the rejection of independent claim 31 under 35 U.S.C. §103(a) over JP '763 should be withdrawn.

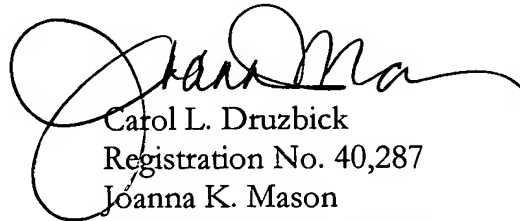
Serial No. 10/799,679
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Docket No. P-0667

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, **JOANNA K. MASON**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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